

Now that cooler heads have prevailed, Mr. Speaker, we are forced to consider the Senate-passed companion version of this legislation as a means of undoing the damage that was done to the gentleman from Texas' bill. This is good legislation, Mr. Speaker. It is unfortunate that my friends in the majority's insistence on a pointless amendment to the House bill has resulted in delaying its enactment.

I urge my colleagues to support the bill. I want to thank my good friend from Utah, the chairman of the Subcommittee on National Parks and Public Lands, for pushing for this legislation to be brought to the floor.

Mr. Speaker, I yield back the balance of my time.

Mr. HANSEN. Mr. Speaker, I yield back the balance of my time.

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from Utah (Mr. Hansen) that the House suspend the rules and pass the Senate bill, S. 366.

The question was taken; and (two-thirds having voted in favor thereof) the rules were suspended and the Senate bill was passed.

A motion to reconsider was laid on the table.

#### NORTHERN COLORADO WATER CONSERVANCY DISTRICT LAND CONVEYANCE

Mr. HANSEN. Mr. Speaker, I move to suspend the rules and pass the bill (H.R. 4389) to direct the Secretary of the Interior to convey certain water distribution facilities to the Northern Colorado Water Conservancy District, as amended.

The Clerk read as follows:

H.R. 4389

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,*

#### SECTION 1. DEFINITIONS.

In this Act:

(1) **CONTRACT.**—The term “contract” means the contract between the United States and the Northern Colorado Water Conservancy District providing for the construction of the Colorado-Big Thompson Project, dated July 5, 1938 (including any amendments and supplements).

(2) **DISTRICT.**—The term “District” means the Northern Colorado Water Conservancy District.

(3) **SECRETARY.**—The term “Secretary” means the Secretary of the Interior.

(4) **TRANSFERRED WATER DISTRIBUTION FACILITIES.**—The term “transferred water distribution facilities” means the North Poudre Supply Canal and Diversion Works, also known as the Munroe Gravity Canal, the Charles Hansen (Supply) Canal and Windsor Extension, and the Dixon Feeder Canal, all of which are facilities of the Colorado-Big Thompson Project located in Larimer County, Colorado.

#### SEC. 2. CONVEYANCE OF TRANSFERRED WATER DISTRIBUTION FACILITIES.

(a) **IN GENERAL.**—The Secretary shall, as soon as practicable after the date of enactment of this Act and in accordance with all applicable law, convey to the District all right, title, and interest in and to the transferred water distribution facilities.

(b) **SALE PRICE.**—

(1) **IN GENERAL.**—The Secretary shall accept \$150,315 as payment from the District and \$1,798,200 as payment from the power customers under the terms specified in this section, as consideration for the conveyance under subsection (a). Out of the receipts from the sale of power from the Loveland Area Projects collected by the Western Area Power Administration and deposited into the Reclamation fund of the Treasury in fiscal year 2001, \$1,798,200 shall be treated as full and complete payment by the power customers of such consideration and repayment by the power customers of all aid to irrigation associated with the facilities conveyed under subsection (a).

(2) **NO EFFECT ON OBLIGATIONS AND RIGHTS.**—Except as expressly provided in this Act, nothing in this Act affects or modifies the obligations and rights of the District under the contract.

(3) **PAYMENTS.**—Except as provided in subsection (c), the District shall continue to make such payments as are required under the contract.

(c) **CREDIT TOWARD PROJECT REPAYMENT.**—Upon payment by the District of the amount authorized to be accepted from the District under subsection (b)(1), the amount paid shall be credited toward repayment of capital costs of the Colorado-Big Thompson Project in an amount equal to the associated undiscounted obligation for repayment of the capital costs.

#### SEC. 3. LIABILITY.

Except as otherwise provided by law, effective on the date of conveyance of the transferred water distribution facilities under this Act, the United States shall not be liable for damages of any kind arising out of any act, omission, or occurrence based on any prior ownership or operation by the United States of the conveyed property.

The SPEAKER pro tempore. Pursuant to the rule the gentleman from Utah (Mr. Hansen) and the gentleman from American Samoa (Mr. FALEOMAVAEGA) each will control 20 minutes.

The Chair recognizes the gentleman from Utah (Mr. HANSEN).

Mr. HANSEN. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, H.R. 4389 transfers a small component of a much larger project. The larger overall project was built from 1938 to 1957 and called the Colorado-Big Thompson project. The water is used primarily to help irrigate 615,000 acres of northeastern Colorado farmland.

The proposed legislation will divest the Bureau of Reclamation of responsibility for future management, liability and replacement of the North Poudre Supply Canal and Diversion Works, the Charles Hansen Supply Canal and Windsor Extension, and the Dixon Feeder Canal.

An agreement on the sale price has been worked out between the District, the Bureau of Reclamation and Western Area Power Administration for the facilities to be conveyed under this act.

I urge an aye vote on this legislation.

Mr. Speaker, I reserve the balance of my time.

Mr. FALEOMAVAEGA. Mr. Speaker, I yield myself such time as I may consume.

(Mr. FALEOMAVAEGA asked and was given permission to revise and extend his remarks.)

Mr. FALEOMAVAEGA. Mr. Speaker, I will not oppose the provisions of this bill. I ask that my colleagues support this legislation.

Mr. GEORGE MILLER of California. Mr. Speaker, while I will not oppose H.R. 4389, I will note that this project transfer bill does not in my view represent good stewardship of a valuable Federal asset. The bill is full of generalities, and the United States and taxpayer-owners get practically nothing out of this deal. No environmental benefits will result from this transfer, and public involvement opportunities are minimal. My formal views on H.R. 4389 are set forth in the Committee Report accompanying the bill.

The bill mandates conveyance without first allowing the Secretary to determine whether such a conveyance is in the public interest. The bill should, instead simply authorize the conveyance so the Secretary can make such a determination.

The bill does not provide for local public involvement prior to final action on the transfer.

The bill fails to provide for environmental protection and enhancement. Environmental protection and enhancement are the appropriate quid pro quo to mitigate for post-transfer loss of federal control and applicability of most federal laws.

Finally, H.R. 4389 creates a fixed “sale price” prior to knowing the details of the transfer. The United States should negotiate a fair price for the conveyance only after the terms and conditions of transfer are established through negotiations with local stakeholders.

Transfers of Western water projects to local beneficiaries are not inherently bad, but H.R. 4389 should not be used as a template for future transfers. These projects are publicly-owned, and taxpayer interests should be recognized and protected.

Mr. FALEOMAVAEGA. Mr. Speaker, I yield back the balance of my time.

Mr. HANSEN. Mr. Speaker, I yield back the balance of my time.

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from Utah (Mr. HANSEN) that the House suspend the rules and pass the bill, H.R. 4389, as amended.

The question was taken; and (two-thirds having voted in favor thereof) the rules were suspended and the bill, as amended, was passed.

A motion to reconsider was laid on the table.

#### VETERANS' ORAL HISTORY PROJECT ACT

Mr. HANSEN. Mr. Speaker, I move to suspend the rules and pass the bill (H.R. 5212) to direct the American Folklife Center at the Library of Congress to establish a program to collect video and audio recordings of personal histories and testimonials of American war veterans, and for other purposes, as amended.

The Clerk read as follows:

H.R. 5212

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,*

#### SECTION 1. SHORT TITLE.

This Act may be cited as the “Veterans’ Oral History Project Act”.